

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA 18 of 2017

Smt. Sangeeta Saha. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. S. Ghosh, Advocate.
<u>21</u> 20.06.2022.	For the State Respondents	: Mr. S. N. Ray, Mr. S. K. Mondal, Advocates.

In the instant application, Smt. Sangeeta Saha - the applicant is the daughter of late Jyotsna Saha, who worked as 'Health Assistant (Female)' under B.P.H.C., Health Department, Malda, died on 7th October, 2005 while in service. After the death of the mother of the applicant, the father of the applicant applied for compassionate employment on behalf of the elder daughter, Supriti Saha on 25th March, 2006 before the respondents. This applicant, Sangeeta Saha was a minor at the time of death of the deceased employee. Later when the first applicant, elder sister Supriti Saha got married, the applicant Sangeeta Saha applied for compassionate employment on 31st August, 2015. In OA-1248 of 2015, the Tribunal directed the respondents to take decision on the basis of her prayer. Thus, the respondent, Director of Health Services on 29.11.2016 passed a reasoned order rejecting the application for compassionate employment of the applicant with the following relevant words :-

"I have now examined the case on merit. It appears that the husband of the ex-employee, who claimed himself as an unemployed at the material point of time, was eligible to apply for compassionate employment but he did not. Prayer of Supriti Saha was not processed by the CMOH, Malda and no final decision was taken as she was minor at the time of consideration and subsequently she got married in the year 2009. Now, Sangeeta Saha has come up with a prayer for compassionate employment after a lapse of more than ten (10) years from the date of death of the ex-employee. Employment on compassionate ground is provided to meet up immediate need of financial assistance arising due to sudden demise of an

employee. As the family of the deceased has survived for all these years, question of immediate need stands evaporated with the passage of time.

Thus, is ordered that

ORDER

The prayer of Sangeeta Saha for employment on compassionate is rejected as immediate need of financial assistance is not established in this instant case.

Thus the application is disposed of.”

Aggrieved by the rejection by the respondents, the applicant has approached the Tribunal again for suitable direction under this OA.

Learned advocate for the State respondents submits that the scheme for compassionate employment is primarily for the immediate relief to be provided to the family of the deceased employee. In this case, it appears that the present Sangeeta Saha was minor at the time of death of her mother and she applies after the lapse of ten (10) years.

Learned advocate for the State also submits that this application is not maintainable and should be disposed of.

Let the matter appear under the heading “For Orders” on 20th September, 2022.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.